

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<b>IN RE:</b>	§	
<b>RICHARD THOMAS GREEN JR.</b>	§	<b>CASE NO. 25-10106-SMR</b>
<b>ADRIANA C. GREEN</b>	§	
	§	
<b>DEBTORS</b>	§	<b>CHAPTER 13</b>

**CHAPTER 13 TRUSTEE’S OBJECTION TO CONFIRMATION OF PROPOSED  
CHAPTER 13 PLAN AND REQUEST FOR INTERIM DISBURSEMENT**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Deborah B. Langehennig, Chapter 13 Trustee, files this *Objection to Confirmation of Proposed Chapter 13 Plan and Request for Interim Disbursement*. The Trustee asserts that the Debtors’ proposed Plan does not meet the requirements of 11 U.S.C. § 1325(a) and/or § 1325(b) and respectfully shows the Court the following:

The Trustee is not recommending confirmation. The Debtors’ appearance at the confirmation hearing is not excused.

**I.**

Pursuant to the Debtors’ Schedule I (Doc. No. 1), Mrs. Green is a wage earner and is employed by Carter Williams. At the February 19, 2025 Section 341 Meeting of Creditors, the Trustee raised the issue of Mrs. Green’s missing pay stub dated January 15, 2025. The Trustee requested that Counsel review and file the missing pay stub. The pay stub was not filed, and Counsel did not extend the deadline to file the missing pay stub. *See* 11 U.S.C. § 521(i)(3).

Unless the Court orders otherwise, the Debtor shall file copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition. 11 U.S.C. § 521(a)(1)(B)(iv). Pursuant to Section 521(i)(1), “if an individual debtor ...under chapter 13 fails to file all of the information required under subsection (a)(1) within 45 days after the date of the filing of the petition, the case shall be automatically dismissed effective on the 46th day after the date of the filing of the petition.” The Debtors were required to file payment advices Mrs. Green received from her employer for the period of November 28, 2025 to January 26, 2025 no later than March 13, 2025; the 45th day after the Debtors filed their Petition. The Debtors did not file all required payment advices received by Mrs. Green.

Section 521(i)(1) is clear that failure to comply with 11 U.S.C. § 521(a)(1)(B)(iv) results in an automatic dismissal of the case, effective the 46th day from the Petition date. Pursuant to Section 521(i)(1), the Debtors' case appears to be automatically dismissed effective March 14, 2025, the 46th day after the date of the filing of the Petition. See *In re Hall*, 368 B.R. 595 (Bankr. W.D. Tex. 2007) (mem. op.); See also *In re Ball*, 2013 Bankr. Lexis 2199 (Bankr. W.D. Tex. 2013).

## **II.**

Mr. Green testified at the Section 341 Meeting of Creditors, held February 19, 2025, that he has a domestic support obligation. The Trustee requested that Counsel provide the required Domestic Support Obligation form. As of the filing of this *Objection*, Counsel has still not provided the required form.

## **III.**

It appears the case is automatically dismissed due to Counsel's failure to file all of the required payment advices. Additionally, Allmand Law Firm emailed a copy of the Debtors' 2023 tax return and exposed Mr. Green's personal identifiable information. Again, the Allmand Law Firm failed to properly redact information when emailing the documents to the Trustee's office. The Trustee requests that all advance attorney fees paid by Counsel be refunded to the Debtors.

### **REQUEST FOR RELIEF**

The Trustee requests that confirmation be denied and the case dismissed effective March 14, 2025, the 46th day after the date of the filing of the Petition. The Trustee further requests that all advance attorney fees paid by the Debtors be refunded to the Debtors.

Respectfully submitted,

/s/ Deborah B. Langehennig  
Deborah B. Langehennig, Chapter 13 Trustee  
PO Box 91419  
Austin, Texas 78709  
(512) 912-0305 Telephone

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**IN RE:**

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ADRIANA CORDEIRO GREEN**

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**DEBTORS**

**CHAPTER 13**

**CERTIFICATE OF SERVICE**

I, Deborah B. Langehennig, certify that a true and correct copy of the Chapter 13 Trustee's Objection to Confirmation of Proposed Chapter 13 Plan has been mailed by US Mail (unless otherwise noted below) to the Debtors and the Debtors' Attorney of Record, and the parties entitled to or requesting service on 3/25/2025.

ALLMAND LAW FIRM PLLC  
860 AIRPORT FWY, STE 401  
HURST, TX 76054-3264  
(SERVED ELECTRONICALLY)

RICHARD THOMAS GREEN JR.  
ADRIANA CORDEIRO GREEN  
1112 LEAGUE LINE ROAD  
PAIGE, TX 78659  
(ELECTRONIC SERVICE VIA  
EMAIL BASED ON WRITTEN  
CONSENT)

U.S. TRUSTEE  
903 SAN JACINTO, SUITE 230  
AUSTIN, TX 78701  
(SERVED ELECTRONICALLY)

Respectfully submitted,

/s/ Deborah B. Langehennig

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